IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA BRYSON CITY DIVISION 2:09 cr 29-6

UNITED STATES OF AMERICA,)	
Vs.)	
MARCUS CODY WALDROUP,)	ORDER
Defendant.)	

THIS MATTER has come before the undersigned pursuant to a Motion for Detention Hearing (#268) filed by counsel for Defendant. At the call of this matter on for hearing, it appeared that Defendant was present with his counsel, attorney David Besler and the Government was present through AUSA David Thorneloe. At the call of the matter on for hearing, the Government, through Mr. Thorneloe, advised that there was no objection to Defendant being released on terms and conditions of pretrial release to attend an inpatient treatment program at the Swain Recovery Center. Further statements were provided to the undersigned that a bed was not available for the Defendant and the Defendant was not presenting a custodian who could provide transportation for the Defendant from the detention facility to the Swain Recovery Center and then back to the United States Probation Office at the completion of treatment or if the Defendant was expelled from For that reason, Defendant's Motion for Detention Hearing will be treatment.

denied without prejudice to Defendant refiling the motion for detention hearing when a bed is available at the Swain Recovery Center and Defendant presents a suitable custodian who can provide transportation for Defendant from the detention facility to the Swain Recovery Center and then back to the United States Probation Office and this Court for further proceedings.

ORDER

IT IS, THEREFORE, **ORDERED** that the Motion for Detention Hearing (#268) is hereby **DENIED** without prejudice for the reasons set forth above.

Signed: July 22, 2015

Dennis L. Howell

United States Magistrate Judge